

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

LEGACY SPORTS BARBERSHOP LLC)	
n/k/a LEGACY BRAND ENTERPRISES)	
LLC d/b/a LEGACY SPORTS)	
BARBERSHOP, LEGACY BARBER)	
ACADEMY, and PANACH CORP.,)	No. 1:20-cv-04149
individually and on behalf of all persons)	
similarly situated,)	
)	Hon. Charles P. Kocoras
Plaintiffs,)	
)	
v.)	
)	
CONTINENTAL CASUALTY COMPANY,)	
)	
Defendant.)	
)	

**DEFENDANT CONTINENTAL CASUALTY COMPANY'S
RULE 12(b)(6) MOTION TO DISMISS THE FIRST AMENDED COMPLAINT**

Defendant Continental Casualty Company respectfully moves the Court for the entry of an order dismissing Legacy Sports Barbershop LLC n/k/a Legacy Brand Enterprises LLC d/b/a Legacy Sports Barbershop, Legacy Barber Academy, and Panach Corp.'s First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of its motion, defendant relies on and incorporates the attached memorandum of law, the exhibits attached thereto, those documents appropriate for judicial notice, and any argument that may be presented on the motion.

WHEREFORE, defendant respectfully requests that the Court dismiss this matter with prejudice.

Dated: December 4, 2020

Respectfully submitted,

/s/ Brent R. Austin

Michael L. McCluggage
Brent R. Austin

Robert E. Dunn (*pro hac vice*)
Caroline P. Malone
Sarah Kinter
EIMER STAHL LLP
224 S. Michigan Ave.
Suite 1100
Chicago, IL 60604
(312) 660-7600 (telephone)
(312) 692-1718 (facsimile)
mmccluggage@eimerstahl.com
baustin@eimerstahl.com
rdunn@eimerstahl.com
cmalone@eimerstahl.com
skinter@eimerstahl.com

Counsel for Defendant Continental Casualty Company

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 4, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a Notice of Electronic Filing to all counsel of record that are registered with the Court's CM/ECF system.

/s/ Brent R. Austin

Michael L. McCluggage
Brent R. Austin
Robert E. Dunn (*pro hac vice*)
Caroline P. Malone
Sarah Kinter
EIMER STAHL LLP
224 S. Michigan Ave.
Suite 1100
Chicago, IL 60604
(312) 660-7600 (telephone)
(312) 692-1718 (facsimile)
mmccluggage@eimerstahl.com
baustin@eimerstahl.com
rdunn@eimerstahl.com
cmalone@eimerstahl.com
skinter@eimerstahl.com

Counsel for Defendant Continental Casualty Company